

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GERALD DEPESTRE,	:	CIVIL ACTION NO. 02-CV-3996
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
WADDELL & REED,	:	
	:	
Defendant.	:	

---

**AMENDMENT TO NOTICE OF REMOVAL**

Pursuant to this Court's order dated August 1, 2002, defendant Waddell & Reed, Inc., (sued as "Waddell & Reed"), by and through its undersigned counsel, hereby amends its Notice of Removal solely in respect to ¶3.b, which shall now read:

Contrary to the allegations of plaintiff's Complaint, the Pennsylvania address provided for Waddell & Reed is merely that of a branch office. Waddell & Reed is incorporated under the laws of the State of Delaware, with its principal place of business in the State of Kansas. Thus, complete diversity exists between plaintiff and Waddell & Reed.

Respectfully Submitted,

---

Hope S. Freiwald  
Attorney I.D. No. 60187  
DECHERT PRICE & RHOADS  
4000 Bell Atlantic Tower  
1717 Arch Street  
Philadelphia, PA 19103  
(215) 994-4000  
Co-Counsel for Defendant  
Waddell & Reed

Dated: August 8, 2002

**CERTIFICATE OF SERVICE**

I, Hope S. Freiwald, hereby certify that I caused to be served on August 8, 2002, a true and correct copy of the Amendment to Notice of Removal by U.S. mail delivery upon the following:

<b>PHILLIP H. BAER, LTD.</b> Phillip H. Baer, Esquire 1515 Market Street, 19 <sup>th</sup> Floor Philadelphia, PA 19102  Attorney for Plaintiff	<b>COMEAU &amp; BUNKER</b> Lorraine J. Zwolak, Esquire One Liberty Place, 7 <sup>th</sup> Floor 1650 Market St. Philadelphia, PA 19103-7301  Co-Counsel for Defendant
--	---

---

Hope S. Freiwald